

ASSEMBLY BILL

No. 1038

Introduced by Assembly Member Pan
(Coauthor: Assembly Member Medina)
(Coauthors: Senators Correa, Roth, and Yee)

February 22, 2013

An act to add Section 2159.7 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1038, as introduced, Pan. Voter registration: paid registration activities.

Existing law authorizes any person, company, or other organization that complies with specified conditions to agree to pay money or other valuable consideration, on a per-affidavit basis or otherwise, to any person who assists another person to register to vote by receiving the completed affidavit of registration.

This bill would, notwithstanding existing law, prohibit a person from offering to pay or paying money or other valuable consideration to another person, either directly or indirectly, to assist another person to register to vote under a certain political party by receiving the completed affidavit of registration. A violation of this prohibition would be a misdemeanor.

By defining a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2159.7 is added to the Elections Code,
2 to read:
3 2159.7. Notwithstanding any other law, a person shall not offer
4 to pay or pay money or other valuable consideration to another
5 person, either directly or indirectly, to assist another person to
6 register to vote under a certain political party by receiving the
7 completed affidavit of registration. Any person who violates this
8 section is guilty of a misdemeanor.
9 SEC. 2. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 the only costs that may be incurred by a local agency or school
12 district will be incurred because this act creates a new crime or
13 infraction, eliminates a crime or infraction, or changes the penalty
14 for a crime or infraction, within the meaning of Section 17556 of
15 the Government Code, or changes the definition of a crime within
16 the meaning of Section 6 of Article XIII B of the California
17 Constitution.